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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,097	10/29/2001	Robert E. Haines	10012346-1	1532

  

EXAMINER	
SALL, EL HADJI MALICK	

  

ART UNIT	PAPER NUMBER
2157	

  

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12/11/2007	PAPER

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

10/015,097

Applicant(s)

HAINES, ROBERT E.

Examiner

El Hadji M. Sall

Art Unit

2157

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 05 November 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: none.  
Claim(s) objected to: none.  
Claim(s) rejected: 1-4 and 6-14.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_  
13. ☐ Other: \_\_\_\_\_.

Continuation of 11. does NOT place the application in condition for allowance because:

(A) As to claim 1, Applicant contends that the dynamic mapping of the primary references of Kuehnel et al. is a mapping of communication connectivity, and not locations of its devices relative to a reference point.  
In regards to point (A), examiner respectfully disagrees.

Column 3, lines 8-13, Kuehnel discloses a mapping unit for mapping ATM cells received on the wireless access part into a selected virtual path (i.e. "location of devices") on the respective fixed link (i.e. "reference point") to said controller, and for mapping ATM cells received on the selected virtual path of the respective fixed link into the wireless connection to said first mobile terminal. An inventive method is also provided.

(B) Applicant contends that Kuehnel et al. fails to teach or suggest representations of its network devices depicting their locations relative to a reference point.

In regards to point (B), examiner respectfully disagrees.

In figure 2, Kuehnel discloses representation of network devices such as 21 and 22 "depicting their locations relative" to a fixed link 23 (i.e. "reference point") as detailed in the figure.

(C) Applicant contends that the cited section, and the cited reference as a whole, fail to teach or suggest that a visual, audible and/or tactile indicator is highlighted to differentiate one representation of a network device from visual, audible and/or tactile indicators representing other network devices.

In regards to point (C), examiner respectfully disagrees.

In figure 6, Kuehnel discloses the access point and its interconnections, a representation of audible device (item 25 (1)) is highlighted to differentiate one representation of a network device (i.e. 22(1) from an audible (i.e. 25 (i)) representing other network devices (i.e. 22(m-1)).

(D) Applicant contends that the cited section, and the cited reference as a whole, fail to teach or suggest that a visual, audible and/or tactile indicator is highlighted to differentiate one representation of a network device from visual, audible and/or tactile indicators representing other network devices that are incapable of providing a requested service.

In regards to point (D), examiner respectfully disagrees.

In column 7, line 64 to column 8, line 7, Jiang discloses cellular networks used to provide Internet access for PDA users (i.e. "incapable to provide a requested service"). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kuehnel in view of Jiang to provide a visual, audible and/or tactile indicator is highlighted to differentiate one representation of a network device from visual, audible and/or tactile indicators representing other network devices that are incapable of providing a requested service. One would be motivated to do so to allow presenting information in a format suitable to the device being used (abstract).

  
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